

Clayeo C. Arnold, SBN 65070
Andrew G Minney, SBN 202000
John T. Stralen, SBN 171227
CLAYEO C. ARNOLD,
A PROFESSIONAL LAW CORPORATION
865 Howe Avenue
Sacramento, CA 95825
Telephone: (916) 777-7777
Facsimile: (916) 924-1829
Email: aminney@justice4you.com
deena@justice4you.com

Attorneys for Plaintiff SONDRA SMITH

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SONDRA SMITH,

Plaintiff,
vs.

COSTO WHOLESALE CORP., and DOES
1 through 25 inclusive,

Defendants.

Case No.: 2:20-cv-01861-JAM-AC

**SECOND JOINT STIPULATION AND
ORDER TO MODIFY PRETRIAL
SCHEDULING ORDER TO EXTEND
DEADLINES FOR EXPERT
DISCLOSURES PURSUANT TO RULE
26(a)**

Removed: September 9, 2020
State Complaint Filed: May 6, 2020

Honorable Judge John A. Mendez

This Stipulation is made by and between Plaintiff SONDRA SMITH (“Plaintiff”) and Defendant COSTCO WHOLESALE CORPORATION (“Defendant”) in light of the following facts:

RECITALS

WHEREAS, this Court entered its Status (Pretrial Scheduling) Order on November 16, 2020;

WHEREAS, pursuant to the Order, the parties were to disclose experts and to produce expert reports in accordance with Federal Rule of Civil Procedure 26(a)(2) no later than May 14, 2021 and produce supplemental disclosures and disclosure of any rebuttal experts pursuant to Federal Rule of Civil Procedure 26(a)(2)(c) no later than May 28, 2021;

1 WHEREAS, the parties entered into a Joint Stipulation to Modify Initial Pretrial
2 Scheduling Order and the Honorable John A. Mendez signed the Order to modify on May 5,
3 2021;

4 WHEREAS, pursuant to that Order, the parties were to disclose experts and to produce
5 expert reports in accordance with Federal Rule of Civil Procedure 26(a)(2) no later than August
6 12, 2021 and produce supplemental disclosures and disclosure of any rebuttal experts pursuant
7 to Federal Rule of Civil Procedure 26(a)(2)(c) no later than September 21, 2021, with all
8 discovery to be completed by November 12, 2021;

9 WHEREAS, Plaintiff filed a Motion to Remand to State Court, which is scheduled to be
10 heard by this court on August 24, 2021;

11 WHEREAS, Defendant filed a Motion for Summary Judgment, which is scheduled to be
12 heard by this court on September 28, 2021;

13 WHEREAS, the parties, for reasons of economy and efficiency, desire to extend the
14 deadlines as set forth below until after the pending motions are heard and decided by the court;

15 WHEREAS, Plaintiff and Defendant agree that it would be in their collective best
16 interests to extend the current deadlines contained in the Order as follows:

17 (a) the deadline to disclose experts and produce reports in accordance with
18 Federal Rule of Civil Procedure 12(a)(2) to be extended from August 12, 2021 to October 15,
19 2021;

20 (b) the deadline for supplemental disclosure of experts and produce reports in
21 accordance with Federal Rule of Civil Procedure 12(a)(2)(c) to be extended from September 21,
22 2021 to November 12, 2021;

23 (c) all expert discovery shall be conducted and completed by December 10,
24 2021;

25 WHEREAS, Plaintiff and Defendant agree to use the extension of time afforded by this
26 Stipulation to explore settlement of their dispute;

27 /

28 /

WHEREAS, the proposed stipulated modification of the terms of the Court's May 5, 2021 Order will not delay or prejudice the timely resolution of this case in the event the settlement negotiations prove unsuccessful inasmuch as the case is not set for trial until May 9, 2022.

STIPULATION

WHEREFORE, IT IS STIPULATED AND AGREED BY AND BETWEEN PLAINTIFF AND DEFENDANT THAT:

(a) The parties shall disclose experts and produce reports in accordance with Federal Rule of Civil Procedure 26(a)(2) no later than October 15, 2021;

(b) Expert testimony and reports intended solely for rebuttal purposes shall be disclosed and reports produced in accordance with Federal Rule of Civil Procedure 26(a)(2) on or before November 12, 2021; and

(c) All expert discovery shall be conducted so as to be completed by December 10, 2021.

IT IS SO STIPULATED.

Date: August 11, 2021

CLAYEO C. ARNOLD, PLC
A Professional Law Corporation

/s/ Andrew G. Minney
Andrew G. Minney, Esq.
Attorney for Plaintiff SONDRA SMITH

Date: August 11, 2021

**MATHENY, SEARS, LINKERT &
JAIME, LLP**

/s/ Matthew C. Jaime
Matthew C. Jaime, Esq.
Attorney for Defendant, COSTCO
WHOLESALE CORPORATION

IT IS SO ORDERED.

Date: August 11, 2021

/s/ John A. Mendez
THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE